

**Remarks/Arguments**

Claims 1-17 are pending in this application. Claims 1 and 12 have been amended herein to more clearly and distinctly claim the subject matter that Applicants regard as their invention. No new matter is added by the present amendment.

**Rejection of claims 1, 12 and 13 under 35 USC 103(a) as being unpatentable over Ficco et al. (U.S. Patent Publication No. 2002/0054750) in view of Adolph et al. (US Pat No 6758540)**

Applicants submit that amended claims 1, 12 and 13 are patentably distinguishable over the teachings of Ficco et al. and Adolph for at least the following reasons.

Claim 1 has been amended to recite:

modifying at least one picture from the plurality of pictures by **replacing at least a portion of the digitally encoded signal with the digitally encoded indicia** comprising intra macroblocks such that the indicia can be decoded and displayed when the picture is decoded and displayed by a remote display device (emphasis added)

Claim 12 has been amended to recite:

a processor, coupled to the generator for modifying, in response to the user command, or an event that requires displaying the status information, at least one picture from the plurality of pictures in the encoded digital video signals by **replacing at least a portion of the digitally encoded video signal with the digitally encoded indicia** comprising intra macroblocks such that the indicia is decoded and displayed when the picture is decoded and displayed on the display device (emphasis added)

As indicated above, amended independent claims 1 and 12 now more clearly recite the feature that a portion of the digitally encoded video signal is **replaced** with digitally encoded indicia. That is, the portions of the video signal are replaced by digitally encoded indicia prior to the decoding of the video signal.

Applicants submit that neither Ficco nor Adolph teach or suggest the above-emphasized featured of independent claims 1 and 12.

Ficco discloses a system for displaying the status of a recording device that includes a memory device that stores status parameters and a processor for controlling the display of these status parameters based on receiving user commands (see abstract). In the system of Ficco, the host processor 310, in response to a user command, retrieves the status parameter from SDRAM 315, and sends the A/V data to transport processor 330, and through PCI interface 340, which in turn sends the A/V data to decoder 350. From that point, the flow path is identical to that for the playback. The decoded A/V data is output to video encoder 360 for conversion to an analog format, so that the desired status parameter may be displayed on display device 370 (see paragraph 0098). Thus, the status data from SDRAM 315 is sent to decoder 350, wherein the status data is decoded.

However, nowhere does Ficco disclose or suggest that portion of the digitally encoded video signal is replaced with the digitally encoded status parameters. Ficco says nothing in this regard. The examiner asserts that the feature of replacing at least a portion of the picture with the digitally encoded indicia is disclosed by paragraph 98 and Figs. 10a-c, 11a-b, 12e, and 13a-b. The figures show the various graphical objects that may be displayed. Paragraph 98 has been discussed hereinabove and describes the operation of the host processor 310, transport processor 330, SDRAM 335, PCI interface 340, and decoder 350 in processing the status information. In view of the description above, applicants respectfully disagree that the cited portion of Ficco discloses or suggests replacing a portion of the picture with the digitally encoded indicia.

Adolph is cited as disclosing that at least a portion of the digitally encoded indicia comprises intra macroblocks. However, even assuming *arguendo* that Adolph teaches the feature as asserted, applicants submit that Adolph fails to cure the defect of Ficco as discussed above. Therefore, applicants submit that amended claims 1 and 12 are patentably distinguishable over the combination of Ficco and Adolph.

Furthermore, applicants submit that the suggested combination of Ficco and Adolph is improper as Adolph teaches away from such a combination. Adolph proposes a system in which the OSD macroblocks are first decoded using an

MPEG decoder before the OSD is combined with the picture data. See for example, col. 2, lines 5-35:

In order to display OSDs in an MPEG-decoded picture **one can decode (with or without the data of the macroblocks to be overlaid by the OSD) a video frame first and store it in the frame memory.** Thereafter **a video frame consisting (only) of the OSD macroblocks is decoded** using an MPEG decoder, and is written at corresponding address values into that frame memory which holds the previously MPEG decoded video frame. **Then the combined frame memory content is read and displayed** as a complete video picture.

Adolph teaches a system that first decodes the picture data, stores the decoded picture in a frame memory, decodes OSD macroblocks, stores the decoded OSD in the frame memory, then reads out the combined picture and OSD. That is, the system of Adolph combines the OSD with the picture after they are decoded. As such, applicants submit that the proposed combination of Ficco and Adolph, wherein the OSD macroblocks replace the encoded picture data teaches away from the system of Adolph, and thus, the suggested combination of Ficco and Adolph is improper.


In view of the above, applicants submit that amended claims 1 and 12, and claim 13, which depends from claim 12, is patentably distinguishable over the suggested combination of Ficco and Adolph.

**Conclusion**

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks/arguments, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

SHU LIN, et al.

By:   
Paul P. Kiel  
Attorney for Applicants  
Registration No. 40,677

THOMSON Licensing Inc.  
PO Box 5312  
Princeton, NJ 08543-5312

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